

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEVIN WILSON,

Plaintiff,

v.

HEATHER SHIRLEY, et al.,

Defendants.

Case No. 1:23-cv-00518-KES-HBK (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

Doc. 14

Plaintiff Kevin Wilson is a state prisoner proceeding pro se and in forma pauperis in this civil action. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 3, 2025, the assigned magistrate judge issued findings and recommendations, recommending this action be dismissed without prejudice for plaintiff's failure to comply with court orders, failure to prosecute this action, and for failure to exhaust administrative remedies. Doc. 14. Specifically, the magistrate judge found that plaintiff did not exhaust administrative remedies available through the California Department of Corrections prior to filing suit and found that he failed to respond to the Court's July 17, 2025 Order to Show Cause explaining why the Court should not dismiss this action for failure to exhaust. *See* Docs. 4, 12, 14. The findings and recommendations contained notice that any objections were to be filed within fourteen days after service. Doc. 14 at 7. Plaintiff did not file objections and the time to do so has passed.

In accordance with 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of this case. Having carefully reviewed the file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly:

1. The findings and recommendations, issued on October 3, 2025, Doc. 14, are adopted in full;
2. This action is dismissed without prejudice for failure to exhaust administrative remedies, failure to obey court orders, and failure to prosecute; and
3. The Clerk of Court shall terminate any pending motions and close this case.

IT IS SO ORDERED.

Dated: November 9, 2025

Kathleen M. Murphy
UNITED STATES DISTRICT JUDGE